

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

ANDRE JUSTE,	)	
Petitioner,	)	Civil Action No. 7:16cv00567
	)	
v.	)	
	)	By: Elizabeth K. Dillon
JOHN B. REID,	)	United States District Judge
Respondent.	)	

**MEMORANDUM OPINION**

By order entered December 8, 2016, the court conditionally filed Juste's petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. In the conditional filing order, the court ordered Juste to complete a habeas petition form, provide information concerning the timeliness of his petition, and either pay the filing fee or apply to proceed *in forma pauperis*. The court advised Juste that failure to comply with the court's order within twenty days would result in the dismissal of his petition without prejudice. Juste did not respond to the court's order.

Inasmuch as the time to respond has passed and Juste has failed to comply with the court's order, the court will dismiss this action without prejudice. Juste may re-file his claims in a separate action.

An appropriate order will be entered.

Entered: January 19, 2017.

*/s/ Elizabeth K. Dillon*  
Elizabeth K. Dillon  
United States District Judge